

of Balto. v. Co. Commrs. of Balto Co, 19 Md. 554 Griffin v. Leslie, 20 Md. 18. Gardner v State, 25 Md 146 Price v. Nesbitt, 29 Md. 256 Deford v. State, 30 Md 179. Gore v State, 32 Md 498. Kimball v. Harman, 34 Md. 401 Adams Express Co. v Trego, 35 Md 47. Sittig v. Birkestack, 38 Md. 158 Seth v. Chamberlain, 41 Md. 186 Cooke v. Cooke, 41 Md 362. N. C. R. W. Co. v. Rutlege, 41 Md. 372 Trayhern v Hamill, 53 Md. 92. Weiskittle v. State, 58 Md. 155. Murguiondo v. Frazier, 63 Md. 95.

1868, ch. 180. 1874, ch. 364.

**98.** When any suit or action, issues or petitions, presentment or indictment for offences which are or may be punishable by death shall be removed according to the provisions of the preceding section, it shall and may be lawful for the party at whose instance the said suit or action, issues or petition, presentment or indictment, was not removed, if he shall think that justice cannot be done him in said court to which said suit or action, issues or petition, presentment or indictment, has been removed, to file an affidavit, as prescribed by the preceding section, in said court to which said removal is ordered, suggesting that he cannot have justice in such court, whereupon the said court shall remove the said cause, suit, or action, issues or petition, presentment or indictment, to such other court, having jurisdiction in such cases, as the said court shall think will best tend to justice between the parties to the said suit or action, issues or petition, presentment or indictment. When any presentment or indictment for offences which are not or may not be punishable by death, shall be ordered to be removed under the provisions of the preceding section, no removal shall be ordered by the court to which the same shall have been removed, upon the application of the party at whose instance such presentment or indictment was not removed, unless in the exercise of its discretion the said court shall be satisfied by proof that such removal is necessary for the purpose of a fair and impartial trial.

P G L, (1860,) art. 75, sec. 76. 1865, ch. 187. 1868, ch. 180.

**99.** It shall be in the power and discretion of the court, should they think it proper, to cause a special panel of forty-eight jurors to be selected by the sheriff from the community at large, to try any cause or causes removed under the two preceding sections; and the court shall direct the clerk thereof